

AMENDED IN SENATE APRIL 3, 2006

**SENATE BILL**

**No. 1838**

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**Introduced by Senators Perata and Florez**

February 24, 2006

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An act to ~~amend Section 129875.2 of~~ *add Section 129856 to* the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1838, as amended, Perata. Health facilities: construction plans.

The existing Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 requires design and construction standards for hospital buildings that house patients who have less than the capacity of normally healthy persons to protect themselves, and that must be reasonably capable of providing services to the public after a disaster. The act requires the Office of Statewide Health Planning and Development (OSHPD) to approve or reject all plans for the construction or alteration of a hospital building. ~~The act requires the office, until January 1, 2009, to establish a plan review project that would exempt multistory hospital buildings from plan review and inspection by OSHPD if the facility demonstrates by written description of the project that those same specified conditions are met. Existing law requires OSHPD to prepare and submit to the health policy committees of the Senate and the Assembly a comprehensive report of the plan review project by March 1, 2008.~~

~~This bill would change to February 1, 2008, the date by which OSHPD is required to prepare and submit that report to the health policy committees of the Senate and the Assembly~~ *authorize the office to establish a training program to ensure that a sufficient number of*

*qualified persons are available to facilitate the timely performance of the office's duties and responsibilities, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 129856 is added to the Health and*  
2     *Safety Code, to read:*

3     129856. *The office may establish a training program to*  
4     *ensure that a sufficient number of qualified persons are available*  
5     *to facilitate the timely performance of the office's duties and*  
6     *responsibilities relating to the review of plans and specifications*  
7     *pertaining to the design and construction of hospital buildings*  
8     *and buildings described in paragraphs (2) and (3) of subdivision*  
9     *(b) of Section 129725, to ensure compliance with applicable fire*  
10    *and life safety codes and standards.*

11    ~~SECTION 1. Section 129875.2 of the Health and Safety Code~~  
12    ~~is amended to read:~~

13    ~~129875.2. (a) The office shall establish a plan review project~~  
14    ~~for multistory hospital buildings. The purpose of the plan review~~  
15    ~~project shall be to simplify the office's review and inspection~~  
16    ~~process and to expedite completion of repair and maintenance.~~

17    ~~(b) Under a plan review project, construction or alteration~~  
18    ~~projects for multistory hospital buildings shall be exempt from~~  
19    ~~plan review and inspection by the office prior to construction if~~  
20    ~~the facility demonstrates to the office, by written description of~~  
21    ~~the project, that all of the following conditions are met:~~

22    ~~(1) The construction or alteration is limited to repairing~~  
23    ~~existing systems or keeping up the course of normal or routine~~  
24    ~~maintenance.~~

25    ~~(2) The repair to existing systems or normal or routine~~  
26    ~~maintenance either restores the facility to the same operational~~  
27    ~~status or improves operational status from the facility's operating~~  
28    ~~condition immediately prior to the event, occurrence, or~~  
29    ~~condition that necessitated the alteration.~~

30    ~~(3) The repair to existing systems or normal or routine~~  
31    ~~maintenance is not ordinarily within the standard of practice of a~~  
32    ~~licensed architect or registered engineer.~~

1     ~~(4) The repair to existing systems or normal or routine~~  
2     ~~maintenance does not degrade the status or condition of the fire~~  
3     ~~and life safety system from the status of the system immediately~~  
4     ~~prior to the event, occurrence, or condition that necessitated the~~  
5     ~~alteration.~~

6     ~~(e) Upon completion of construction or alteration of any~~  
7     ~~building subject to this section, and prior to use of the repaired~~  
8     ~~system or other subject of the construction or alteration, the~~  
9     ~~office shall inspect and approve the work. The office may require~~  
10    ~~an interim inspection for code compliance when walls, ceilings,~~  
11    ~~or other materials or finishes will cover the final work.~~

12    ~~(d) Upon compliance with subdivision (b), the office shall~~  
13    ~~approve the written description of the project and issue a building~~  
14    ~~permit.~~

15    ~~(e) The office shall prepare a comprehensive report of the plan~~  
16    ~~review project by February 1, 2008. The report shall include a~~  
17    ~~comprehensive review of the plan review project and shall assess~~  
18    ~~whether the purpose of the plan review project has been achieved~~  
19    ~~and whether the construction or alteration projects submitted~~  
20    ~~under this section have resulted in any significant potential~~  
21    ~~danger to the safety of hospital patients and workers or the~~  
22    ~~public. The report shall be submitted to the health policy~~  
23    ~~committees of the Senate and Assembly.~~

24    ~~(f) This section shall remain in effect only until January 1,~~  
25    ~~2009, and as of that date is repealed, unless a later enacted~~  
26    ~~statute, that is enacted before January 1, 2009, deletes or extends~~  
27    ~~that date.~~